

Wed 09/10/2019 15:28

Hi **Redacted**

I have made contact with the Architects and I am waiting for a call back. The minimum we would need is changing facilities, the toilet facilities, the welfare room for drinking water and the administration of First Aid/medication, a small storage space and the plant room for power and heating. We could probably forgo the showers and leave the space in case we can fund raise in the future to install these or include extra space for changing, if this provides a significant saving and would be helpful to the change of scope.

I will let you know as soon as I have heard and what can be saved.

Thanks

Redacted

On Wed, 9 Oct 2019 at 14:50, **Redacted** wrote:

Hi **Redacted**

Thanks. If you could explore the option of removing the showers and other additional facilities other than the toilets and changing rooms and see what that saving would be that would be helpful.

Regards

Redacted

Redacted |

Bid Based Funding | School Estates and Post 16 Capital | Capital Group | Operations Directorate |
Mobile: **Redacted**



Department
for Education

From: Redacted

Sent: 09 October 2019 14:45

To: Redacted

Subject: Re: Change of Scope

Hi **Redacted**

Please see below:

Thanks

Redacted

On Wed, 9 Oct 2019 at 14:26, **Redacted** wrote:

Hi **Redacted**

The scope change request is with the deputy director for a decision.

We did have some concerns about the project cost and the value for money of the scheme. Did you consider any alternative options to:

1. Reduce the costs of the refurbishment and only provide toilet facilities instead of the changing and shower facilities? **We did and still could, we really only need toilets, a changing facility and a boot wash facility. I don't think Kendall Kingscott thought that this would be much of a saving when we discussed it but certainly an option for us to consider. If you want me to explore the cost reduction I can.**

2. Provide toilets only using temporary accommodation - **This is not an option, it would need planning permission which we will never get due to the community objections. Also, this that would not provide any changing facilities which are the main things we need, toilets and changing facilities.**

If these have been considered but dismissed could you confirm the reasons why.

Regards

Redacted

Redacted

Bid Based Funding | School Estates and Post 16 Capital | Capital Group | Operations Directorate |
Mobile: **Redacted**



From: Redacted

Sent: 09 October 2019 11:03

To: Redacted

Subject: Change of Scope

Hi **Redacted**

Sorry to bother you, we were wondering if there is any news on whether this has been approved or not yet?

Thanks

Redacted

Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

Thu 10/10/2019 15:52

Hi **redacted**

I have heard now from Kendall Kingscott.

I know that you are worried about the value for money of the scheme. Not installing the showers would save very little money. KK have estimated £7,500.00 which is a very small amount in the scheme of the project. Installing them at a later date will invariably incur a higher cost as technically a new (small) project.

I know the refurbishment may seem expensive in comparison to the new build that was planned but I need to highlight that due to the delays with planning and the legal complexities the cost of the new building when re costed earlier this year (at the time of the appeal process) had risen significantly. These are £934,200 (not including the fence costs) this is compared to the original project build costs of £741,800 (including the fence costs). Please see the attached document that details this more specifically.

We have been assured that the refurbishment will give the building considerable longevity in excess of 20 years.

We look forward to hearing from you as soon as possible. We need to bring the project in on the projected timescales due to the start of the formal examinations season in April and this is at risk of slippage now.

I would like to emphasise once more that the school has explored every avenue possible to identify a different location for our playing fields or a different solution, this has been in conjunction with Bristol City Council. There is no alternative available to the school, the only legal viable option is to refurbish the pavilion. Without this the school cannot meet its statutory requirements for the curriculum, safeguarding and health and well being of the students and staff who use and work at the fields.

Thanks

redacted

--

redacted

Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

3: RIBA Stage 2 Feasibility Cost Plan: Load Bearing Masonry Construction	
Item	Budget
Demolition and removal of existing pavilion and associated structures to 1.50m below slab level	£20,600
Notional allowance for asbestos remediation encountered in demolitions	£10,000
Earthworks; Plain in-situ concrete foundation solution; Reinforced in-situ concrete ground bearing slab	£70,700
Load bearing masonry wall construction including PVCu external windows and doors; internal walls; internal door, frames and ironmongery; internal wall, floor and ceiling finishes	£186,400
Timber truss roof structure; roof coverings, PVCu rainwater goods	£56,200
Fixed fixtures, fittings and equipment	£43,700
Mechanical and Electrical services installations including builder work in connection	£153,500
External works including pedestrian paving, gravity fed drainage, fencing and soft landscaping.	£68,300
Incoming utility connections including builders work	£67,000
<i>Sub-Total</i>	£676,400
Main Contractor's Preliminaries & OH&P costs (based on 32 weeks)	£103,000
Proprietary mat protection to temporary vehicular road across existing playing fields	£20,000
Pre-Contract Price & Design Contingency (based on 5.00%)	£33,800
CURRENT ESTIMATED CONSTRUCTION COST	£833,200
Fees & Other Costs	
Building Surveyor, Contract Administration & Quantity Surveyor Consultancy Services (based on 6.65%)	£59,500
Structural Engineer Consultancy Services (based on 0.50%)	£4,300
Mechanical & Electrical Consultancy Services (based on 2.20%)	£19,600
Principal Designer Consultancy Services (based on 1.00%)	£8,900
Building Regulations Costs & Charges	£2,500
Refurbishment & Demolition (R&D) Asbestos Survey including Main Contractor's attendance	£1,600
Topographical survey & buried services / drainage survey	£2,600
Geotechnical sub soil / trial hole survey	£2,000
Tender Price Inflation	EXCLUDED
VAT	EXCLUDED
ESTIMATED TOTAL PROJECT COSTS	£934,200

Cost Plan 1: Basis of CIF Bid

The CIF Bid funding request was based on the project scope accounted for in Cost Plan 1 (as below). This allowed for a perimeter fencing and a new modular sports pavilion with a size of approximately **25m x 9m on plan (with no canopy)**.

The total funding requested was £667,600.00 (excluding VAT) which allowed for a project cost contribution from the academy of 10%.

3: Feasibility Cost Plan 1	
Item	Cost Plan 1
TOTAL PROJECT COSTS (Excluding VAT)	£741,800.00
Less contribution from the academy of 10% of Total Project Costs	-£74,200.00
TOTAL FUNDING REQUESTED (Excluding VAT)	£667,600.00

Latest Cost Plan (4 Changing Room with Social Room)

The current changing room design (now changed from the original client brief of 2 changing rooms to 4) has increased in size by approximately 30% to 330m². The current total project costs for the changing room pavilion is £934,200. Therefore, the current projected shortfall in funding is circa £266,600.

Tue 22/10/2019 10:52

Hi **redacted**

I have been asked a question as to when there is likely to be an outcome to the pending TVG application at Stoke Lodge. I know you have previously said that this is dependent on another legal case. Is there any indication of the likely timescales of when the TVG application will be resolved?

Regards

redacted

redacted

School Estates and Post 16 Capital | Capital Group | Operations Directorate |

Mobile: **redacted**



Tue 22/10/2019 11:02

Hi **redacted**

Unfortunately not, this is halted as we await the Supreme Court's ruling on an earlier case, that decision was made by the CRA and accepted by both parties.

Please remember that the Pavilion is not included in the TVG application, the applicants have excluded it in the area that they have indicated should be part of the TVG application, this is on both TVG 2 and 3.

Do you have an estimation of the time frame that you are working to, to provide a decision? CHairs of Governor committees are meeting later this week and will invariably ask me as will **redacted** who are wondering how long to remain committed to the works required.

Thanks

redacted

Fri 01/11/2019 10:18

Hi **redacted**

We have a meeting about the project later today. I will come back to you either this afternoon or on Monday.

Regards

redacted

redacted

Bid Based Funding | School Estates and Post 16 Capital | Capital Group | Operations Directorate |

Mobile: **redacted**



From: redacted

Sent: 01 November 2019 10:12

To: redacted

Subject: Change of scope request

Hi **redacted**

Any news?

Governors are asking me for an update, it would be useful to know what date you are working to in advising the school on this submission and whether it is approved; and also where it is within your process.

Thanks

redacted

--

redacted

Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

Wed 06/11/2019 08:02

Dear **redacted**

Please see attached letter from **redacted**

Regards

redacted

5 November 2019

redacted

Education and Skills Funding Agency By E-mail: **redacted**

redacted

Cotham School Refurbishment of Existing Sports Pavilion at offsite Playing Fields, Stoke Lodge

Thank you for taking time to talk to us yesterday. As you will now be aware, it came as a great surprise that you are considering escalating this decision on funding to the Minister. This is an action in our view that appears wholly disproportionate to the decision you have in front of you and has clearly been unduly influenced by the lobbying exerted on you by supporters working under the banner of 'We Love Stoke Lodge'.

You indicated that you had three areas of concern, being: planning issues, risk and your approval grading

Taking each in turn:

1. Planning Issues There is no planning approval required for the refurbishment of the existing pavilion. We have absolute confirmation on this from Bristol City Council who have worked with our planning consultant and both parties have taken Counsel, ie high level legal advice. I quote from the email we received from **redacted**.

' I can advise you that I am of the view that the works fall within s55 (2)(a)(i) and (ii) of the T&CP Act 1990 and do not fall within the definition of development, therefore planning permission is not required.'

Redacted has provided to you our Counsel's legal advice on this matter that clearly evidences that there are no planning issues. I can assure you that the supporters of We Love Stoke Lodge challenge re: highways issues and any other planning issues are misplaced. We do not require planning approval for the works.

Just to be clear re: transport access to the playing fields. The School does have an agreed 'Sustainable Travel Plan' and we do regularly update this. This is a school operational document that enables us to regularly review our operations and for example increase cycle parking if we find that to be required. None of this is subject to any planning control.

Risk You talked about risk and indicated that the risk was in your view with the 'planning issues' and 'noise' surrounding the TVG applications. I advised you that the TVG is not a material consideration

for planning since it is a different area of law, and any way since we do not need planning this is not a relevant issue of risk.

We do accept that there is an issue with the TVGs and we are working with the City Council to resolve these. We reminded you that we have already had one TVG application dismissed, and that we are confident that the other two cases will be dismissed too. The last case took 10 years to resolve, and we lost some 7 years of children playing sports on our fields. In the light of the small level of risk and the imperative to get students back playing sport we decided to move ahead with the improvements and safeguarding measures required on the site. We consider this to be a very small risk, and one that is balanced out by the needs of the school.

3. Your grading assessment We understand that this is an unusual project, we are asking to repair rather than re-develop the building since we worked with the City Council and jointly came to the conclusion that the risk of the Community fettering any new planning application was great and therefore the deliverability of the scheme was in question and at the very least it could take a very long time. The refurbishment is practical, programmable for completion by next Spring and ultimately is more sustainable since we are reusing not consigning the old building to land fill. The outcome will be a building with a lifetime in excess of 20 years.

In conclusion, bearing in mind that we are an independent Academy funded directly by the Government through the DFE it beggars belief that another party of the Government might not fund a desperately needed school pavilion improvement. Indeed you have already committed to fund this and a large percentage of the money has been paid to the School. We feel it was clear from our conversation yesterday that you are in danger of being unduly and disproportionately influenced by a small number of activists who have sought any route to stop the School using its school playing fields and would rather use the fields for walking their dogs. As you will be aware this type of behaviour has escalated and with the use of social media has become an even greater threat to our civil society.

We would be pleased to meet you in Bristol, and show you around our school, 1600 young people, 52% BAME, 51 different foreign languages recorded at school and 24% special educational needs. School Ofsted graded Good.

I look forward to receiving approval for the pavilion over the next few days.

Yours sincerely

redacted

Sat 16/11/2019 19:58

Hi **redacted**

I thought about our telephone call on Thursday and one thing I probably didn't emphasis when we spoke of exam disruption was that to the students with special educational needs. They tend to have access arrangements and this means that they have extra time in their exams. Where our students without extra time will have finished in a large number of their exams before the students come back from P E to change (for the second time) back into their uniform, our extra time students and P16 A Level students will be disrupted again, firstly by those returning from P E and then 15 minutes later by the next group getting changed to go. This will mean 3 separate lots of at least 15 minute episodes each exam sitting of disruptive noise and distraction. Those with extra time are usually awarded this extra time as concentration is a difficulty for them. Sixth formers will be disrupted as their exams are so much longer and they too are caught up at the beginning, the end of P E lesson 1 and the start of P E lesson 2 (starting period 3).

I thought it was worth emailing to provide this specific information to you.

Kind regards

redacted

--

redacted

Cotham School | Cotham Lawn Road | Bristol | BS6 6DT

Fri 29/11/2019 15:54

Dear **redacted**,

Thank you for submitting a CIF change request to refurbish the sports pavilion at Cotham School instead of a new build as originally proposed.

First of all, please accept my apologies for the delay in responding to your change request. I know that this project has been a very challenging journey for you so far. We are considering your request. However, during the period leading up to the general election, there are additional constraints on the activity of the department. These constraints arise from the need to maintain, and to be seen to be maintaining, the impartiality of the Civil Service, and to avoid criticism of any inappropriate use of resources. These restrictions mean that we are unable to make a decision on your change request until this period ends following the general election on 12 December.

I am sure you will appreciate that this project is sensitive for a number of reasons and still carries considerable risks. The project has also been delayed significantly since the original approval. The CIF terms and conditions state that the approved project should be completed according to the original timetable set out in the application, and certainly by 31 March 2019.

I know that this will be frustrating for you, and of course we will prioritise your case as soon as normal business resumes after the general election. However, we think the most pragmatic way for us to manage this period and the risks above effectively, we would suggest that you submit a new CIF application in the current round with your revised proposals. In the event that your request is approved you can withdraw the new CIF application.

I hope this offers you a way forward over this period. We will be in contact with you again before the Christmas break to update you on progress.

Kind regards,

Redacted

School Estates and Post 16 Capital | Capital Directorate
Department for Education | 5th Floor, Sanctuary Buildings | Great Smith Street | London | SW1P 3BT

E-mail: redacted | Mob: redacted

Web: www.gov.uk/DfE | **Twitter:** [@educationgovuk](https://twitter.com/educationgovuk) | **Facebook:** www.facebook.com/educationgovuk



Department
for Education

Thu 05/12/2019 14:00

Good Afternoon

Please see attached letter from the Headteacher at Cotham School.

Regards

Redacted

5 December 2019

Redacted Project Director Capital Support/School Estates and Post 16 Capital/Capital Directorate

Dear **Redacted**

Thank you for your email of 29 November 2019 regarding the application made by the school on 11 September 2019 to change the scope of our approved Condition Improvement Funding from a project to build a new pavilion to a project to refurbish the existing pavilion.

Thank you also for your acknowledgement that the need for the school to have changing facilities on its school playing fields, three miles from the main site, and the work the school has had to do to try to achieve this, has been very challenging for the school. It has been a challenge but a challenge that has almost been overcome; the fence securing and safeguarding the playing fields and therefore our students and staff, funded through the Condition Improvement Funding, has been installed and is providing those safeguards. The last and essential element of the project is our students' welfare to be further supported through the refurbishment of the pavilion, providing adequate changing, showering, toileting facilities and welfare.

In your communication, you state that the period leading up to a general election provides additional constraints on the activity of the Department. However, the change of scope was submitted on 11 September 2019 with many supporting documents to provide a comprehensive amount of information which should have enabled an informed decision to be made. All follow up questions asked by the Department have been responded to by us with urgency and in a timely manner.

An inordinate and disproportionate amount of time has now passed for the change of scope request to still be at the stage of not being approved. When the timescale on change of scope decisions was clarified with your Department, the clarification provided by your staff was 'in most cases three weeks in this case probably a little longer'. It has taken eleven weeks and two days to be at the same stage as on 11 September 2019 when the change of scope was submitted. Nothing has moved forward. A general election had not been called at this point and there was scope and time to either approve or decline the application. However you have now advised that complications of the general election have affected our request and this crucial project.

We disagree that the project is sensitive and carries considerable risk. It is correct that the project has been delayed significantly since its original approval but this was due to matters outside of the control of the school. These have been dealt with and overcome as quickly and efficiently as the school could manage and we have followed due process in all matters.

There is no 'sensitivity'. The school, as the tenant of the land, can continue to use the playing fields and exercise our existing rights. This includes the right to use a building that currently exists on the land and has been used by the school in the past. It requires replacement or refurbishment. The pavilion cannot legally be replaced but it can be refurbished and done so relatively quickly, thereby reasonably addressing the delay that has occurred and providing the same outcome as the original Condition Improvement Funding approved application sought to achieve.

Please find below an email shared with us from the Department for Education dated 4 December 2019 from **Redacted**, advising that the playing fields count as an 'extension of the school premises'. This should provide clarity and remove the issues that are referenced under 'sensitivities'. The residents of the area may not like what the school wants to do but no planning permission is required and the lease states that we can use the land with all existing rights and uses, permitting us to install a fence and to refurbish the existing building, the pavilion.

Any sensitivities that exist are on the part of residents living in the area near the playing fields who wish to have control of the land for themselves as a public park. The designation of the land is for educational use and has been since 1947. The legal designation of the land has been proven to these Residents on a number of occasions by ourselves and Bristol City Council; and whilst they may not like or agree with the designation, the legalities over this have been shared and proven to them as we have evidenced to you in the change of scope submission and as we reported back to your department at the time of installing the fence.

We understand that your Department, as we are, has been under intense pressure in the form of 'lobbying' from an un-constituted group of residents who pertain to represent a high number of people in Stoke Bishop but in reality do not. 'We Love Stoke Lodge' are writing into you requesting information but also providing inaccuracies and misinformation. This includes some provided by at least one local Councillor Mark Weston who is using his position inappropriately to lobby on behalf of this small number of residents.

The 'risks' that you refer to and established by your Department have been made by taking the information provided in such lobbying letters as being accurate and true; for example **Redacted**, our contact in your Department advised that the risks you are concerned about are:

Planning Issues - they seem to think we have highways issues and need planning consent. We don't need planning consent and the refurbishment project will permit us to carry out the refurbishment and use the pavilion with all existing rights and uses, therefore there are no highways issues. We have provided the DfE (**Redacted**), our legal advice from our Barrister and confirmation from **Redacted** Bristol City Council that their legal team agree with this legal advice. No planning permission is required.

Risk to the project of the two TVGs - We Love Stoke Lodge supporters, in order to block our project as they did not and do not want a fence around the playing fields which they consider to be their park, have applied for a further two Town and Village Green Applications, these are TVG2 and TVG 3. We won our case in the high court for TVG1 and nothing has fundamentally changed that raises concerns that TVG 2 and 3 would be successful. Indeed TVG cases can take years and years, our first took ten years to be concluded. In addition the area that the pavilion sits on has not been included in the current TVG applications, that area of the playing field is not included in the application. The TVG applications are not a risk to the refurbishment of the pavilion, they do not affect the pavilion at all.

Scoring of the application. Our conclusion is that your department appear to have used the 'lobbying' from WLSL supporters in Stoke Bishop to determine that our project is of high risk, this is

unfair to the school, its students, parents and carers. Lobbying letters that cannot be evidenced as accurate should not ever form part of an application to receive government funding. You are aware that these residents have another agenda and will use deceitful methods to stop the school accessing the funding to be able to have a pavilion on the playing fields. The school has only ever followed due process in all Stoke Lodge matters.

We are concerned that in assessing our application your Department has not sought appropriate legal advice and that is why risk has been raised as a factor inappropriately and disproportionately. The effect of not being able to use the funding to refurbish the pavilion will mean that the school cannot fulfil its statutory duty of delivering the P.E curriculum due to a lack of suitable facilities. As the funding for Cotham School is provided to us directly from the government, it seems bizarre that the government in providing this funding seeks to take the CIF funding back when we need to run the school properly and cannot do so without completing this project.

Having taken more than eleven weeks and two days to determine whether a project of this nature and value can be approved seems disproportionate and unnecessary, and appears to be a direct response to the lobbying of Councillors and local residents set on preventing our school from having suitable changing facilities on the playing fields that are part of our school site, albeit through no fault of our own, three miles away.

In the case of change of scope requests made to your Department, it is unusual for them not to be approved, if the original objective is met. The original CIF application was based on safeguarding requirements, the installation of a fence and the provision of a pavilion to provide changing, showering, toileting and welfare facilities for students at Cotham School. This will still be met by the refurbishment and therefore the lack of movement towards the approval of this is totally baffling. Should this crucial funding be removed it represents a potential crisis to the school. Although the costs to complete the project could be considered high, the school has a 125 lease on our playing fields and the pavilion once refurbished will provide a facility that will be sustainable and usable for more than twenty years. This represents excellent value for money when considered over this period of time.

We have a clear project plan to have the pavilion refurbished and in use as soon as possible. The delay experienced has derailed the project to a certain extent and we will struggle to have the pavilion ready to use for the start of the formal exams season even if a quick approval is provided immediately after the general election, meaning that our students will experience another year of disruption to one of the most important times of their lives, the sitting of their GCSE and A Level exams. We will reluctantly put a new application forward for the pavilion project. However with the constraints you are experiencing due to the general election, it does not seem pragmatic to us that you will move forward on new applications before deciding on those that have been delayed and are awaiting decisions.

We are requesting that you reconsider your position and provide an approval for the scope change and the refurbishment of the pavilion project without delay. Yours sincerely

Kind regards

Redacted CC: Redacted

Thu 19/12/2019 09:09

Dear **Redacted**

Please see attached letter.

Regards

Redacted

19 December 2019

Redacted Project Director Capital Support/School Estates and Post 16 Capital/Capital Directorate

Dear **Redacted**

Stoke Lodge Pavilion Scope Change Request

I am writing regarding the schools request more than twelve weeks ago to change the scope of the Condition Improvement Funding awarded to the school to provide a changing pavilion on our school playing fields at Stoke Lodge.

Please can we have an acknowledgement of our letter to you dated 5 December 2019 and the points raised.

There have been some developments that are relevant to the project and the change of scope request that we need to advise you of.

These are:

- In our letter we discussed risks established by your department and discussed with our contact in your department, **Redacted**, these appear to be a barrier to our application being approved.

They were referenced by him as: ○ Planning Issues – Please see the letter attached from our landlord Bristol City Council dated 17 December 2019 that is in response to queries they have received from local residents in the area of the playing fields. It advises that planning permission for the refurbishment of the pavilion changing building is not required and why it is not required, as the works fall within S55 (2) (a) (i) of the Town & Country Planning Act 1990. This again confirms what we have advised to you in our change of scope information and our letter of 5 December that no planning permission is required to undertake the refurbishment of the pavilion. ○ Highways Issues – Please note the proposals for the refurbishment of the pavilion are permitted development, there is no planning application and the school do not have to provide any form of traffic management plan as referenced in the letter from Bristol City Council. There are no planning issues and therefore no risk exists.

- Risk to the project of the two Town or Village Green applications - as previously discussed there are two TVG applications made by We Love Stoke Lodge supporters as part of their vexatious campaign against the school. These have not been 'duly made' as the Commons Regulation Committee has been waiting for the ruling of the Supreme Court in respect of a similar case involving the playing fields of a primary school. We advised **Redacted** of this and its status. ○ The ruling of The Supreme Court - the outcome of The Supreme Court case ruled on 11 December 2019 that registrations of Town and Village Greens should not be permitted where they are incompatible with

the statutory purposes for which publicly-owned land is held. This decision is the culmination of marathon (legal challenges) concerning the status of plots of land owned by the local authorities and the NHS in Lancashire and Surrey. This case has clear implications for the long run campaign against Cotham School to make our playing fields at Stoke Lodge a Town or Village Green. Stoke Lodge playing fields which are owned by the local authority, Bristol City Council and leased to the school are statutorily held as education land and are part of our school site and lease. We await confirmation that these have been dismissed due to the statutory incompatibility of our land as determined by the Supreme Court in these precedential cases.

There are no registered Town or Village Green applications against Stoke Lodge, nor are there likely to be, further confirmed by the Supreme Court Ruling, therefore no risk exists.

Our Concerns

We have this week received a communication from our transport provider who transport the students by coach from the main school site to the school site where the playing fields are located. They have advised that they are experiencing issues with mud transferring from students onto the seats. This is taking place on the return journey back from the playing fields after P E has taken place. We will not be able to deliver the P E curriculum if the transport provider withdraws their service to us due to this issue. We were always concerned that this would become an issue as we enter the winter months and this risk was notified to **Redacted** in the change of scope communications. It highlights the compelling need for this changing facility and that the need is an urgent safeguarding requirement.

The Letter from Bristol City Council in response to comments and complaints received from members of the public

The letter attached from Bristol City Council in response to members of the public, that I am sure are very similar to the lobbying letters you have received, confirms to those complainants that the school has the rights and support of the local authority to refurbish the pavilion. We need nothing more to complete this project than confirmation that our change of scope request has been approved and that we can use the Condition Improvement Funding as it was originally intended and approved for, to provide adequate changing and welfare facilities for our students under our statutory safeguarding duties and also our statutory duty to deliver the P E Curriculum. We could start the project immediately without any further delay.

We look forward to hearing from you as a matter of urgency in respect of the points raised in our letters of 5 and 19 December; and in addition on the status of our application to change the scope of the funding from a new build to a refurbishment. You did commit in your email of 29 November 2019 that you would be in touch before the Christmas break to advise on progress. Our last day of term is Friday 20 December.

We would highlight once again that the project objective to provide new changing facilities at the playing fields has not changed regardless of the methodology to complete this.

Yours sincerely

Redacted CC: Redacted

Letter from Bristol City Council

Local Residents

Stoke Lodge Playing Field Stoke Lodge Bristol

Reply to **Redacted** 6th August 2019

Date 17 December 2019

Dear Local Resident

RE: Refurbishment of the Pavilion at Stoke Lodge Playing Field

Thank you for your communication regarding the above.

Bristol City Council (BCC) would like to provide the following statement in response to the comments and complaints that have been received over the past few weeks, regarding the proposed refurbishment of the Pavilion at Stoke Lodge Playing Field, by Cotham School.

The Planning Authority has already communicated the view that the works fall within S55 (2)(a)(i) of the Town & Country Planning Act 1990 and so do not fall within the definition of development, therefore planning permission is not required.

Having collated all of the comments and complaints received, they cover five main topics:-

1. Withholding of Landlord Consent for the proposed refurbishment 2. Asbestos – its presence in the building and its proposed removal 3. Fire Safety – in relation to the ‘increased’ number of pupils that will be using the Pavilion 4. Access – in relation to compliance with the Equalities Act 2010 and Part M of the Building Regulations 5. Highways/Transport – in relation to increased coach traffic, unsafe drop off and collection of pupils, parking during the School day and out of school hours, potentially illegal vehicle maneuvers and blocking of driveways.

1. Withholding of Landlord Consent for the proposed refurbishment

Under the terms of the Academy Lease with Cotham School, BCC cannot ‘unreasonably’ withhold consent for the work. Many Local Residents have stated that they want to see the Pavilion renovated and brought back into use for the School and local community activities. The pavilion is in a very poor state of repair and it is currently unusable.

The renovation of the building will enhance the delivery of the P.E. curriculum for the benefit of the pupils attending Cotham School. The School also wants to encourage use of the pavilion by local and community sports teams and groups, out of School hours. All of this at a time when there are major public health concerns regarding obesity and levels of physical activity, particularly in relation to children and young people.

Providing Cotham School complies with all the relevant legislation and regulation, before, during and after the completion of the renovation, Bristol City Council will not be withholding its consent.

2. Asbestos

Cotham School must comply with the Control Of Asbestos Regulations 2012 (also known as CAR 12). A full ‘Refurbishment/ Demolition’ (R&D) Survey must be undertaken by an accredited consultant, prior to any works being undertaken in the pavilion that could disturb the fabric of the building. If Asbestos Containing Materials (ACMs) are identified in the R&D survey and they will be disturbed by

the works, they must be removed. A risk assessment would then need to be completed to determine if it is a Licensed or Non Licensed activity. If it is a Licensed activity the works must be undertaken by a Licensed Contractor. They would need to complete a ASB5 form to the Health and Safety Executive outlining the planned works. All removed ACMs must be transported and disposed of in accordance with CAR 12. If the works is licensed then an independent Consultant must be engaged to carry out all Air Testing and issuing of Clearance Certificates. All this work should be highlighted within the Health and Safety Plan that is required by The Construction (Design and Management) Regulations 2015.

3. Fire Safety

Due to the nature of the proposed refurbishment of the pavilion, the School will need to make an application for Building Regulations approval. Part of this approval would include an assessment of the Fire Safety aspects of the proposal. The School are responsible for Fire Safety in the building and they would need to undertake a Fire Risk Assessment (FRA) on the premises. BCC would suggest to the School that as part of the refurbishment, heat and smoke detectors should be installed in the 'higher' risk areas such as the plant room and the changing areas. It would also be suggested that the entrance doors to the building should be 'rehung' to ensure that they open outwards. Use of the building by 120 pupils is acceptable, providing suitable fire precautions are followed.

4. Access

Under the Equalities Act 2010, the School must not make the premises any less accessible than they already are. The School must also comply with Part M of the Building Regulations in relation to the proposed refurbishment. The floor plans indicate that a fully accessible toilet, shower and changing facility are being provided as part of the renovations, so they are complying with Part M of the Building Regulations. The School have not highlighted any changes to the externals of the building and the approaches, so they are compliant with the Equalities Act 2010 in that they are not making the building less accessible than it already is.

5. Highways/Transport

Concerns have been raised in relation to the increased coach traffic, unsafe drop off and collection of pupils, coach parking/waiting, blocking of driveways, unsafe manoeuvres by coaches and parking by users during evenings and at weekends. Local residents have requested that BCC requires Cotham School to provide a Traffic Management Plan in relation to the refurbishment of the pavilion. The proposals for the refurbishment of the pavilion are permitted development, there is no Planning Application and so BCC cannot request this of the School.

Property, Highways and Sustainable Transport officers will continue to engage with Cotham School, to find solutions to these issues.

Residents can also request the installation of waiting and parking restrictions through the Local Transport Funding Scheme, via the 'Request a Change to a Road' page of the 'Streets and Travel' section on the BCC Website. Funding for such requests is limited.

If you have any further queries please do not hesitate to contact the above e-mail address.

Yours faithfully

Redacted

Fri 20/12/2019 16:44

Dear **Redacted**,

Thank you for your letter dated 5 December and the recent update of yesterday, 19 December.

We are still reviewing the details of your scope change request and are working to come back to you with a decision as soon as possible. I can only apologise again for the time this has taken.

Kind regards,

Redacted

School Estates and Post 16 Capital | Capital Directorate